

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

|                                    |   |                    |
|------------------------------------|---|--------------------|
| -----X                             | : |                    |
| DAVID FERNANDO VERNAZA VELAZQUEZ,  | : |                    |
| Plaintiff,                         | : |                    |
| -against-                          | : | 23 Civ. 2525 (LGS) |
| VALERY JOSEPH SALON, LTD., et al., | : | <u>ORDER</u>       |
| Defendants.                        | : |                    |
| -----X                             | : |                    |

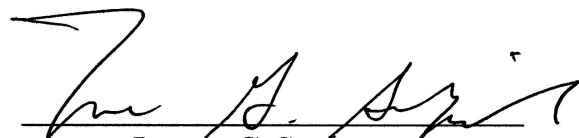
LORNA G. SCHOFIELD, District Judge:

WHEREAS, on August 11, 2023, the parties moved for approval of a proposed settlement. It is hereby

**ORDERED** that the settlement agreement is **APPROVED** as fair and reasonable based on the nature and scope of Plaintiff's claims and the risks and expenses involved in additional litigation. *See Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199, 206–07 (2d Cir. 2015); *Fisher v. SD Protection, Inc.*, 948 F.3d 593, 600 (2d Cir. 2020) (outlining the factors used to determine whether a proposed settlement and award of fees is fair and reasonable). It is further

**ORDERED** that this action is dismissed in its entirety and with no award of attorneys' fees or costs, beyond the amounts provided for in the parties' settlement. The action is dismissed without prejudice to restoring the action to the Court's calendar, provided the application to restore the action is made within thirty (30) days of this Order. Any application to reopen filed after thirty (30) days from the date of this Order may be denied solely on that basis. The Court declines to retain jurisdiction to enforce this settlement agreement and the parties are directed to the appropriate forum in the event of a breach. Any pending motions are **DISMISSED** as moot, and all conferences and deadlines are **CANCELED**.

Dated: August 15, 2023  
New York, New York

  
**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**